

May 14, 2012

HASC Communications (202) 225-2539

Former Attorneys General, National Security Officials Support Rigell-Landry Habeas Corpus Language in FY13 NDAA *Oppose Adam Smith–Justin Amash Language*

In a May 9th letter to Chairman McKeon, former high-ranking officials under Presidents Reagan and Bush, including Attorneys General Ed Meese and Mike Mukasey, wrote in strong support of detainee language in the FY13 National Defense Authorization Act (NDAA) and expressed opposition to language offered by Reps. Adam Smith (D-WA) and Justin Amash (R-MI).

"As the House begins consideration of the NDAA for Fiscal Year 2013, we urge you to ensure that attempts to exploit misconceptions about the NDAA are not successful in harming U.S. national security."

The GOP Approach to Detention Policy is Sound

"[The] FY12 NDAA included an affirmation of the detention authority provided by the 2001 Authorization for Use of Military Force (AUMF). Given the President's plan to withdraw U.S. combat forces from Afghanistan and the continuing threat posed by groups like al Qaeda in the Arabian Peninsula, this affirmation was a critical step in reinforcing the military's legal authorities to combat terror."

Rigell-Landry "Right to Habeas Corpus Act" Erases Any Doubt

"[We] would respectfully encourage you to consider incorporating the language from Representative Rigell's 'Right to Habeas Corpus Act' in the FY13 NDAA to address misconceptions and to defend against these other attempts to undermine the critical wartime authorities provided by the AUMF."

Oppose Dangerous Smith Language

"Representative Adam Smith...[has] introduced legislation that would prevent the President from ever detaining anyone, including foreign terrorists, in the United States pursuant to the AUMF...Rewarding terrorists with greater rights for making it to the United States would actually incentivize them to come to our shores, or to recruit from within the United States, where they pose the greatest risk to the American people. Such a result is perverse."

May 9th Letter Signers

Edwin Meese III

Former U.S. Attorney General

Michael B. Mukasey

Former U.S. Attorney General

Michael Chertoff

Former Secretary of Homeland Security

Charles D. "Cully" Stimson

Former Deputy Assistant Secretary of Defense For Detainee Affairs

Steven A. EngelFormer Deputy Assistant Attorney General
Office of Legal Counsel
U.S. Department of Justice**David Rivkin**Former Deputy Director
Office of Policy Development
U.S. Department of Justice**Daniel J. Dell'Orto**Former Principal Deputy General Counsel
Department of Defense**Paul Butler**

Former Principle Deputy Assistant Secretary of Defense, SOLIC

Steven G. BradburyFormer Acting Assistant Attorney General and Principal Deputy AAG
Office of Legal Counsel
U.S. Department of Justice**Paul Rosenzweig**Former Deputy Assistant Secretary for Policy and Acting Assistant Secretary for International Affairs
Dept. of Homeland Security

For more information, visit the [HASC Detention Policy Resource Kit](http://armedservices.house.gov) at armedservices.house.gov

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**COURTESY OF HOUSE ARMED SERVICES COMMITTEE
CHAIRMAN BUCK MCKEON (R-CA)**